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 PHILIPS LUMILEDS LIGHTING  
 COMPANY, LLC

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 OAKLAND DIVISION

18 PHILIPS LUMILEDS LIGHTING  
 COMPANY, LLC,

19 Plaintiff,

20 v.

21 EPISTAR CORPORATION,

22 Defendant.

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 EPISTAR CORPORATION

Case No. C 05-4521 CW

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE THE APRIL 1,  
 2008 CASE MANAGEMENT  
 CONFERENCE**

CMC Date: April 1, 2008  
 Time: 2:00 p.m.  
 Location: Courtroom 2, 4th Floor  
 Judge: Hon. Claudia Wilken

1 EPISTAR CORPORATION,  
 2 Plaintiff,  
 3 v.  
 4 PHILIPS LUMILEDS LIGHTING  
 COMPANY, LLC,  
 5 Defendant.

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7 AND RELATED COUNTERCLAIMS

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Case No. C 07-5194 CW

**AMENDED STIPULATION AND  
 [PROPOSED] ORDER TO CONTINUE  
 THE APRIL 1, 2008 CASE  
 MANAGEMENT CONFERENCE**

CMC Date: April 1, 2008  
 Time: 2:00 p.m.  
 Location: Courtroom 2, 4th Floor  
 Judge: Hon. Claudia Wilken

9 On January 31, 2008, defendant Philips Lumileds Lighting Company, LLC ("Lumileds")  
 10 filed a motion to stay in the above-entitled *Epistar Corp. v. Philips Lumileds Lighting Co.*, Case  
 11 No. 07-5194 CW, seeking to stay the case in its entirety until the conclusion of a related  
 12 investigation currently pending before the International Trade Commission. (*See* Dkt. Nos. 30-  
 13 32.) In view of Lumileds' motion to stay, this Court continued the originally scheduled Initial  
 14 Case Management Conferences for both cases from February 12, 2008 until April 1, 2008. (Case  
 15 No 07-5194 Dkt. No. 26; *see also* Case No. 05-4521 Dkt. No. 36.) In addition, the Court  
 16 continued the requirements set forth in Federal Rule of Civil Procedure 26 and Local Civil Rule  
 17 16. (Case No 07-5194 Dkt. No. 26.) The Court has now taken under submission Lumileds' fully  
 18 briefed motion to stay and has stated that the motion will be decided on the papers. (*Id.*)

19 Under the current schedule, the parties are required to file a joint case management  
 20 statement on March 25, 2008 in preparation for attending the April 1, 2008 Conference. In the  
 21 interest of judicial economy and preserving the parties' resources, Epistar Corporation and  
 22 Lumileds stipulate and jointly request that the Court continue these dates. Accordingly:

23 The parties hereby stipulate and agree that the case management conference set in both of  
 24 the above-entitled cases be continued from April 1, 2008 to May 6, 2008. The parties shall file a  
 25 joint case management conference statement April 29, 2008, seven calendar days prior to the  
 26 conference pursuant to Civil Local Rule 16-9(a). The parties additionally stipulate and agree that  
 27 requirements set forth in Federal Rule of Civil Procedure 26 and Local Rule 16 be continued  
 28 accordingly.

1 Dated: March 28, 2008

2 MORGAN, LEWIS & BOCKIUS LLP

3 By: /s/ Amy M. Spicer  
4 Amy M. Spicer

5 Attorneys for Defendant and  
6 Counterclaimant  
7 PHILIPS LUMILEDS LIGHTING  
8 COMPANY, LLC

9 Dated: March 28, 2008

AKIN GUMP STRAUSS HAUER & FELD

10 By: /s/ Yitai Hu  
11 Yitai Hu

12 Attorneys for Plaintiff and  
13 Counterdefendant  
14 EPISTAR CORPORATION

15 **-[PROPOSED] ORDER**

16 Pursuant to the parties' Stipulation above, the case management conference for both of the  
17 above-entitled cases is continued from April 1, 2008 to May 6, 2008. The parties shall file a joint  
18 case management conference statement April 29, 2008, seven calendar days prior to the  
19 conference pursuant to Civil Local Rule 16-9(a). In addition, requirements set forth in Federal  
20 Rule of Civil Procedure 26 and Local Rule 16 are continued accordingly.

21 **IT IS SO ORDERED.**



23 Dated: 3/31/08

24 \_\_\_\_\_  
25 CLAUDIA WILKEN  
26 UNITED STATES DISTRICT JUDGE  
27  
28

## **ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Amy M. Spicer, am the ECF user whose ID and password are being used to file this Stipulation to Continue the April 1, 2008 Case Management Conference. In compliance with General Order 45.X.B., I declare under the penalty of perjury under the laws of the United States of America that Yitai Hu has concurred in this filing.

Executed this 28th day of March 2008, at San Francisco, California.

/s/ Amy M. Spicer